

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	09/898,368	NOTARGIACOMO ET AL.	
	Examiner Kuen S Lu	Art Unit 2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 7/16/2004.
2.  The allowed claim(s) is/are 1-26 and 33.
3.  The drawings filed on 03 July 2001 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

***DETAILED ACTION***

1. This communication is responsive to the Patent Application filed on 7/3/2001 and amendments filed on 7/16/2004. The amendments are considered.
2. After a search and a thorough examination of the present Application and in light of the prior arts, Claims 1-26 and 33 are allowed.

***EXAMINER'S AMENDMENT***

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Frank Pincelli on November 23, 2004. **The claims 1, 20 and 33 are currently amended by replacing the following:**

1. A method for gathering information on a database on a computer at a first location relevant to the creation of a family tree with respect to at least one identified individual, organizing the information, and displaying it in the form of a family tree, comprising the steps of:

searching multiple databases unrelated to said database on said computer at said first location over a communication network using a software program on said computer at said first location for obtaining relevant information regarding at least one candidate for said family tree;

reviewing said information according to a set of algorithms by said software program for obtaining probability assessment that the at least one candidate is related to the at least one identified individual;

providing said information, along with the probability assessment to the user for acceptance or rejection; and

updating the family tree upon acceptance by the user.

20. A method for gathering information on a database on a computer at a first location relevant to the creation of a family tree with respect to at least one identified individual, organizing the information, and displaying it in the form of a family tree, comprising the steps of:

searching multiple databases unrelated to said database on said computer at said first location over a communication network using a software program on said computer at said first location for obtaining relevant information regarding at least one candidate for said family tree;

reviewing said information according to a set of algorithms by said software program for obtaining probability assessment that the at least one candidate is related to the at least one identified individual;

providing said information, along with the probability assessment to the user for acceptance or rejection; and

updating the family tree upon acceptance by the user wherein the data comprising the family tree is contained on a web page hosted on a server connected to a network.

33. A computer software product for gathering information on a database on a computer at a first location relevant to the creation of a family tree with respect to at least one identified individual such that when loaded onto a computer will cause the computer to go through the steps of:

searching multiple databases unrelated to said database on said computer at said first location over a communication network using a software program on said computer at said first location for obtaining relevant information regarding at least one candidate for said family tree;

reviewing said information according to a set of algorithms by said software program for obtaining probability assessment that the at least one candidate is related to the at least one identified individual;

providing said information, along with the probability assessment to the user for acceptance or rejection; and

updating the family tree upon acceptance by the user.

by:

1. A method for gathering information on a database on a computer at a first location relevant to the creation of a family tree with respect to at least one identified individual, organizing the information, and displaying it in the form of a family tree, comprising the steps of:

using a software program to search multiple databases unrelated to said database on said computer at said first location over a communication network on said

computer at said first location for obtaining relevant information regarding at least one candidate for said family tree;  
executing a set of algorithms by said software program for obtaining probability assessment that the at least one candidate is related to the at least one identified individual;  
providing said information, along with the probability assessment to the user for acceptance or rejection; and  
updating the family tree upon acceptance by the user.

20. A method for gathering information on a database on a computer at a first location relevant to the creation of a family tree with respect to at least one identified individual, organizing the information, and displaying it in the form of a family tree, comprising the steps of:  
using a software program to search multiple databases unrelated to said database on said computer at said first location over a communication network on said computer at said first location for obtaining relevant information regarding at least one candidate for said family tree;  
executing a set of algorithms by said software program for obtaining probability assessment that the at least one candidate is related to the at least one identified individual;  
providing said information, along with the probability assessment to the user for acceptance or rejection; and

updating the family tree upon acceptance by the user wherein the data comprising the family tree is contained on a web page hosted on a server connected to a network.

33. A computer software product for gathering information on a database on a computer at a first location relevant to the creation of a family tree with respect to at least one identified individual such that when loaded onto a computer will cause the computer to go through the steps of:

using a software program to search multiple databases unrelated to said database on said computer at said first location over a communication network on said computer at said first location for obtaining relevant information regarding at least one candidate for said family tree;

executing a set of algorithms by said software program for obtaining probability assessment that the at least one candidate is related to the at least one identified individual;

providing said information, along with the probability assessment to the user for acceptance or rejection; and

updating the family tree upon acceptance by the user.

***Reason for Allowable***

4. The following is the Examiner's statement of reasons for allowance:

The application is related to a method for gathering information relevant to the creation of a family tree on a database by searching multiple databases unrelated to the

said database via network and by using probability assessment for accepting or rejecting candidates.

Based on the searches conducted on patent or non-patent databases, no prior art has been found on teaching the following combined limitations (as shown bold below) of the independent claims 1, 20 and 33, specifically searching the unrelated multiple databases and using probability assessment to determine a person's candidacy to a family tree.

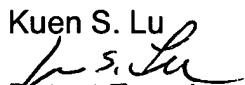
**using a software program to search multiple databases unrelated to said database on said computer at said first location over a communication network on said computer at said first location for obtaining relevant information regarding at least one candidate for said family tree;**  
**executing a set of algorithms by said software program for obtaining probability assessment that the at least one candidate is related to the at least one identified individual; and**  
**providing said information, along with the probability assessment to the user for acceptance or rejection.**

Claims 2-19 and 21-26 are dependent on 1 and 20, respectively and also distinct from the prior art for the same reason.

5. Any comments considered necessary by Applicants must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

### ***Conclusions***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuen S Lu whose telephone number is 571-272-4114. The examiner can normally be reached on 8 AM to 5 PM, Monday through Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on 571-272-4107. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Kuen S. Lu  
  
Patent Examiner

November 24, 2004

  
Luke Wassum  
Primary Examiner

November 24, 2004